(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1987 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

None present for the Petitioner.

Shri B.H.Mehta, APP for the Respondents.

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CORAM: R.M.S.KHANDEPARKAR, J

DATED: 24th JANUARY, 2005.

P.C.

. None present for the Petitioner. Perused the records. By the present Petition, the Petitioner is challenging the order dated 10th December, 2003 passed by the Sessions Judge, Mumbai, in Misc.Application No.1877 of 2003 whereby the said application has been dismissed and the bail bond of the surety has been forfeited. The power to forfeit the bond is under Section 446 of the Code of Criminal Procedure, 1973 which is appealable under Section 449 of the said Code. Being so, an alternative efficacious remedy is available

to the Petitioner against the impugned order in terms of the provisions of Section 449 of the Code of Criminal Procedure, and therefore, the question of entertaining the petition against the impugned order does not arise. The Petition is therefore rejected.